

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Dennis Smith

Serial No: 10/813,947

Filed: March 31, 2004

Art Unit: 3764

Examiner: Lori Baker Amerson

For: EXERCISE ELEMENT

) I hereby certify that this paper, addressed to  
) the Commissioner for Patents, P.O. box  
) 1450, Alexandria, Virginia 22313-1450, is  
) being deposited with the United States Patent  
) and Trademark Office's e-filing website  
) (EFS-Web) on the date of:

)  
)  
) October 3, 2007

) Howard B. Rockman  
) Howard Rockman  
) Reg. No. 22,190

**RESPONSE TO OFFICE ACTION DATED JULY 3, 2007**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is being filed in response to the Office Action dated July 3, 2007.

**Amendments to the Claims** are reflected in the listing of claims, which begins  
on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.